

**PART B - FEE(S) TRANSMITTAL**

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**INSTRUCTIONS:** This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

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32940 7590 11/08/2004

**DORSEY & WHITNEY LLP  
INTELLECTUAL PROPERTY DEPARTMENT  
4 EMBARCADERO CENTER  
SUITE 3400  
SAN FRANCISCO, CA 94111**

01/11/2005 FFANAIAS 00000037 10791045

01 FC:2501 700.00 OP

02 FC:1504 APPLICATION NO. 300.00 OP

03 FC:10001 30.00 OP

10/791,045 03/01/2004

FIRST NAMED INVENTOR

ATTORNEY DOCKET NO.

CONFIRMATION NO.

A-70851-1/RBC/VEJ

1281

TITLE OF INVENTION: THERMALLY POWERED VAV DIFFUSER AND CONTROL ASSEMBLY

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	YES	X \$700	\$300	X \$1,000	02/08/2005
EXAMINER		ART UNIT	CLASS-SUBCLASS		
TAPOLCAI, WILLIAM E		3744	236-100000		

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).  
 Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.  
 "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required.

2. For printing on the patent front page, list  
 (1) the names of up to 3 registered patent attorneys or agents OR, alternatively,  
 (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

1. DORSEY & WHITNEY LLP  
 2. \_\_\_\_\_  
 3. \_\_\_\_\_

**3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)**

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

**(A) NAME OF ASSIGNEE**

Acutherm L.P.

**(B) RESIDENCE: (CITY and STATE OR COUNTRY)**

Hayward, California

Please check the appropriate assignee category or categories (will not be printed on the patent):  Individual  Corporation or other private group entity  Government

4a. The following fee(s) are enclosed:

Issue Fee  
 Publication Fee (No small entity discount permitted)  
 Advance Order - # of Copies 10

4b. Payment of Fee(s):

A check in the amount of the fee(s) is enclosed.  
 Payment by credit card. Form PTO-2038 is attached.  
 The Director is hereby authorized to charge the required fee(s), or credit any overpayment, to Deposit Account Number 50-2319 (enclose an extra copy of this form).

5. Change in Entity Status (from status indicated above)

a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27.  b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

The Director of the USPTO is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above. NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant, a registered attorney or agent, or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature Victor E. Johnson

Date 1/6/2005

Typed or printed name Victor E. Johnson

Registration No. 41,546

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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PATENT



Attorney Docket No. A-70851-1/RBC/VEJ  
Application No. 10/791,045

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

**Robert S. HUNKA**

Application No. **10/791,045**

Filed: **March 1, 2004**

For: **THERMALLY POWERED VAV  
DIFFUSER AND CONTROL  
ASSEMBLY**

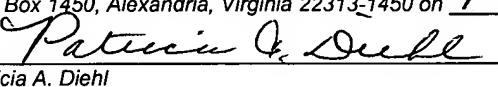
Art Unit: **3744**

Examiner: **William E. Tapolcai**

Docket No.: **A-70851-1/RBC/VEJ**

Certificate of Mail (37 C.F.R. § 1.8(a))

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal service on the date shown below with sufficient postage as first class mail in an envelope addressed to Mail Stop ISSUE FEE, Director of the U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, Virginia 22313-1450 on 1-6-05.

  
Patricia A. Diehl

Mail Stop ISSUE FEE  
Director of the U.S. Patent and Trademark Office  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

**ISSUE FEE TRANSMITTAL**

Sir:

Pursuant to the Notice of Allowance mailed November 8, 2004, enclosed herewith is a completed form PTOL-85B along with our check in the amount of \$1030 to cover the issue and publication fees for a small entity and \$30.00 for ten (10) soft copies.

The Commissioner is hereby authorized to charge any underpayment of fees associated with this communication and/or credit any overpayment to Deposit Account No. 50-2319 (Order No. 463671-00069; Docket No. A-70851-1/RBC/VEJ).

Respectfully submitted,

Date: 1/6/2005

By:

  
Victor E. Johnson, Reg. No. 41,546  
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